AN ACT

To amend the Homeland Security Act of 2002 to secure critical infrastructure against electromagnetic threats, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Critical Infrastructure Protection Act” or the “CIPA”.

SEC. 2. EMP PLANNING, RESEARCH AND DEVELOPMENT, AND PROTECTION AND PREPAREDNESS.

(a) In General.—The Homeland Security Act of 2002 (6 U.S.C. 121) is amended—

(1) in section 2 (6 U.S.C. 101), by inserting after paragraph (6) the following:

“(6a) EMP.—The term ‘EMP’ means—

“(A) an electromagnetic pulse caused by intentional means, including acts of terrorism; and

“(B) a geomagnetic disturbance caused by solar storms or other naturally occurring phenomena.”;

(2) in title V (6 U.S.C. 311 et seq.), by adding at the end the following:

“SEC. 526. NATIONAL PLANNING FRAMEWORKS AND EDUCATION.

“The Secretary, or the Secretary’s designee, shall, to the extent practicable—

“(1) include in national planning frameworks the threat of EMP events; and

“(2) conduct outreach to educate owners and operators of critical infrastructure, emergency plan-
ners, and emergency response providers at all levels of government of the threat of EMP events.”;

(3) in title III (6 U.S.C. 181 et seq.), by adding at the end of the following:

"SEC. 318. EMP RESEARCH AND DEVELOPMENT.

“(a) IN GENERAL.—In furtherance of domestic preparedness and response, the Secretary, acting through the Under Secretary for Science and Technology, and in consultation with other relevant agencies and departments of the Federal Government and relevant owners and operators of critical infrastructure, shall, to the extent practicable, conduct research and development to mitigate the consequences of EMP events.

“(b) SCOPE.—The scope of the research and development under subsection (a) shall include the following:

“(1) An objective scientific analysis of the risks to critical infrastructures from a range of EMP events.

“(2) Determination of the critical national security assets and vital civic utilities and infrastructures that are at risk from EMP events.

“(3) An evaluation of emergency planning and response technologies that would address the findings and recommendations of experts, including
those of the Commission to Assess the Threat to the
United States from Electromagnetic Pulse Attack.

“(4) An analysis of technology options that are
available to improve the resiliency of critical infra-
structure to EMP.

“(5) The restoration and recovery capabilities
of critical infrastructure under differing levels of
damage and disruption from various EMP events.”;
and

(4) in section 201(d) (6 U.S.C. 121(d)), by
adding at the end the following:

“(26)(A) Prepare and submit to the Committee
on Homeland Security of the House of Representa-
tives and the Committee on Homeland Security and
Governmental Affairs of the Senate—

“(i) a recommended strategy to protect
and prepare the critical infrastructure of the
American homeland against EMP events, in-
cluding from acts of terrorism; and

“(ii) biennial updates on the status of the
recommended strategy.

“(B) The recommended strategy shall—

“(i) be based on findings of the research
and development conducted under section 318;
“(ii) be developed in consultation with the relevant Federal sector-specific agencies (as defined under Homeland Security Presidential Directive–7) for critical infrastructures;

“(iii) be developed in consultation with the relevant sector coordinating councils for critical infrastructures; and

“(iv) include a classified annex as needed.

“(C) The Secretary may, if appropriate, incorporate the recommended strategy into a broader recommendation developed by the Department to help protect and prepare critical infrastructure from terrorism and other threats if, as incorporated, the strategy complies with subparagraph (B).”.

(b) CLERICAL AMENDMENTS.—The table of contents in section 1(b) of such Act is amended—

(1) by adding at the end of the items relating to title V the following:

“Sec. 526. National planning frameworks and education.”;

and

(2) by adding at the end of the items relating to title III the following:

“Sec. 318. EMP research and development.”.

(c) DEADLINE FOR RECOMMENDED STRATEGY.—The Secretary of Homeland Security shall submit the recommended strategy required under the amendment made
by subsection (a)(4) by not later than 1 year after the date of the enactment of this Act.

(d) REPORT.—The Secretary shall submit a report to Congress by not later than 180 days after the date of the enactment of this Act describing the progress made in, and an estimated date by which the Department of Homeland Security will have completed—

(1) including EMP (as defined in the amendment made by subsection (a)(1)) threats in national planning frameworks;

(2) research and development described in the amendment made by subsection (a)(3);

(3) development of the comprehensive plan required under the amendment made by subsection (a)(4); and

(4) outreach to educate owners and operators of critical infrastructure, emergency planners, and emergency response providers at all levels of government regarding the threat of EMP events.

SEC. 3. NO REGULATORY AUTHORITY.

Nothing in this Act, including the amendments made by this Act, shall be construed to grant any regulatory authority.
SEC. 4. NO NEW AUTHORIZATION OF APPROPRIATIONS.

This Act, including the amendments made by this Act, may be carried out only by using funds appropriated under the authority of other laws.

Passed the House of Representatives November 16, 2015.

Attest: KAREN L. HAAS, Clerk.